

UNITED STATES DISTRICT COURT
for the
District of Puerto Rico

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Carmen S Carrasquillo
Cuesta

Case No.

24-cv-1378 MAJ

(to be filled in by the Clerk's Office)

Jury Trial: (check one) Yes No

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Junta de Planificación

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Carmen S. Carrasquillo Cuesta

Street Address

Calle Marginal A-9 Urb. Villa

City and County

Salvador Rio Piedras

State and Zip Code

Puerto Rico 00921

Telephone Number

787-989-4468

E-mail Address

Sidell_Carrasquillo@yahoo.es

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Junta de Planificación
Planning Board - Commonwealth of P.R.

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

ROBERTO SÁNCHEZ VILELLA GOVERNMENT CENTER

PO BOX 41119 San Juan P.R. 00940-1119
723-6200

LASSUS_J@JP.PR.GOV

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

Federal question

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Please See Sheet below

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated

under the laws of the State of (name) _____,

and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of

the State of (name) _____.

Or is a citizen of (foreign nation) _____.

Carmen S. Carrasquillo Cuesta

A. If the basis for jurisdiction is a federal question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title I and V of the Americans with Disabilities Act of 1990 (ADA), Section 2, Section 3 and Section 102

Age Discrimination in Employment Act of 1967 (ADEA), Article 623 (Section 4).

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain): _____

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Please See Sheet Below

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Please See Sheet Below

V. Certification and Closing

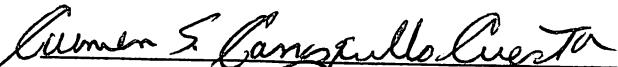
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

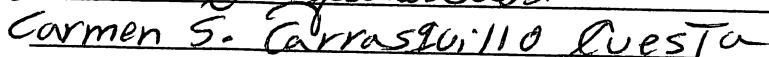
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: August 20, 2024

Signature of Plaintiff

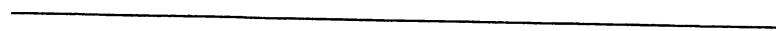


Printed Name of Plaintiff

**B. For Attorneys**

Date of signing:

Signature of Attorney



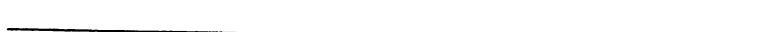
Printed Name of Attorney



Bar Number



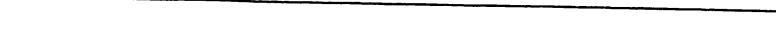
Name of Law Firm



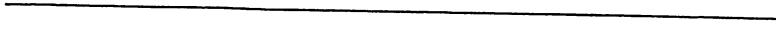
Street Address



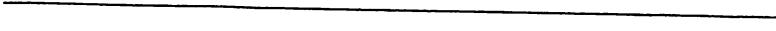
State and Zip Code



Telephone Number



E-mail Address



Carmen S. Carrasquillo Cuesta

QUESTION III

At the beginning of 2023, the Job Classification Plan for government employees came into effect. It contains new positions that are equivalent to the positions held by the employees on that date. I work on the Planning Board where there is no union of management employees. I am the only employee who is 60 years old in the Economic Analysis Sub Program and who did not obtain the labor justice to which I am entitled as my job position was not reclassified. I have been working in this agency for 30 years with a high level of excellence, professionalism, commitment and efficiency. My immediate supervisor, Ms. Maggie Pérez, is directly responsible for recommending that all positions be reclassified to the management committee assigned to this process. Ms. Perez did not recommend the reclassification of my position without reason. Therefore, I was not benefited at work by the discrimination to which I am subjected by the Ms. Perez. Subsequently, I was also not informed that there was a position equivalent to the one I occupy and, therefore, I could request an appeal to achieve the reclassification of my position. Ms. Pérez did recommend job reclassification to all office employees who, in effect, obtained such reclassifications and obtained labor justice. When I asked Ms. Pérez why she did not recommend my position, her argument was that I had to seek guidance for this reclassification process with union employees. This is impossible because I am a managerial employee and therefore do not belong to the career employees union. After the above, I requested the reclassification of my position to the president of the agency under the Human Resources Regulations. Therefore, I requested a letter of recommendation from Ms. Maggie Pérez in support of my application. Ms. Pérez, in a humiliating, defiant manner, laughing mockingly and in a very bad manner, told me that she would not give me the recommendation and when I questioned her why she only told me, and I quote, "why not." His attitude was a total lack of personal and professional respect towards me. My direct supervisors are Ms. Maggie Pérez and Mr. Alejandro Díaz, who have never given any importance to the work I carry out. I have never been called to a meeting to talk about my work, either to give me instructions or to ask me any aspect of it. They have always shown contempt for me and the work I do. This action causes me frustration, anguish, emotional damage and contempt for work. I am totally ignored at work and personally by my direct supervisor, Ms. Maggie Pérez and by Mr. Alejandro Díaz, who is the director of the Economic Planning Program. I have never received equitable treatment compared to the treatment of other employees in the office. Since 2017 I have been a

victim of verbal abuse, discrimination, harassment, labor injustice, abuse during times when I have been sick, disregard for my physical safety by exposing myself to dangerous situations, persecution, improper surveillance, prohibition to perform my duties, defamation, humiliation, I have been prejudiced, stripped of the duties of my position and pressured to sign a document that harmed me at work. In addition to the above, I was denied the opportunity to obtain the well-deserved labor justice to which I am entitled. Those directly responsible for all of the above are Mr. Alejandro Díaz and Mrs. Maggie Pérez. All the events narrated above have seriously affected all aspects of my life, my physical integrity, security, my health, and my emotional health. I am 60 years old and have serious body mobility problems (only when walking). I have been discriminated against due to age and health condition.

Carmen S. Carrasquillo Cuesta

QUESTION IV

I respectfully request the Honorable Court to order the transfer of \$4,777 for salary lost from March 2023 to August 2024. This amount is due to the failure committed by the Planning Board in not granting me the reclassification of my position in March of 2023. My current position is Office Systems Administrator II with a gross monthly salary of \$2,469 and the equivalent position to my current position, according to the Job Classification Plan, is Chief Administrative Officer, which has a gross monthly salary of \$2,750. In addition to the amount of \$4,777, I request that the court determine the amount to be awarded to me as compensation as part of the actual or punitive monetary compensation for verbal abuse, age discrimination, discrimination due to a health condition of mobility when walking, for professional discredit, lack of dignity as a human being, for professional defamation, for damages, for emotional suffering and mental anguish. I request any other benefits to which I am entitled by law. In effect, the damages alleged here continue today.